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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,840	03/30/2004	Gen Sasaki	251146US2	2321
22850	7590	11/28/2008	EXAMINER	
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.			CUTLER, ALBERT H	
1940 DUKE STREET			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22314			2622	
			NOTIFICATION DATE	DELIVERY MODE
			11/28/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/811,840	SASAKI, GEN	
	<b>Examiner</b>	<b>Art Unit</b>	
	ALBERT H. CUTLER	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 08 August 2008.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-11, 13-16 and 18-24 is/are pending in the application.  
 4a) Of the above claim(s) 3-11 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,2,13-16 and 18-24 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

1. This office action is responsive to communication filed on August 8, 2008.

### ***Response to Arguments***

2. Applicant's arguments, see pages 11 and 12, filed August 8, 2008, with respect to the rejection(s) of claim(s) 1, 2, 13-16 and 18 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kuo et al. (US 6,400,471).

### ***Claim Objections***

3. Claims 21 and 22 are objected to because of the following informalities: Lack of clarity and precision.
4. Claims 21 and 22 recite "data obtained from said storage". However, no storage has been previously defined in claims 21 and 22 or the parent claims 1 and 18. Upon further examination, it appears that claims 21 and 22 should recite "data obtained from said storage **unit**" in order to correspond with claims 1 and 18. The Examiner will interpret claims 21 and 22 to recite "data obtained from said storage **unit**". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, 13-16 and 18-24 rejected under 35 U.S.C. 102(b) as being anticipated by Kuo et al. (US 6,400,471).

Consider claim 1, Kuo et al. teaches:

An image processing apparatus for performing image processing on captured data of an image of a desired subject (see digital camera, 100, figures 1, 2 and 11), comprising:

an image processing part (line reader, 620, DSP, 922, ping-pong buffers A and B, 1130, and JPEG Hardware, 924, figure 11), including:

a buffer memory (ping-pong buffers A and B, 1130, figure 11) for data storage (The buffer memory (1130) stores image data processed by the DSP (922), column 11, lines 34-47.);

an image processing unit (DSP, 922) for performing a predetermined process on said captured data to obtain image data (column 11, lines 34-39), and writing said image data to said buffer memory (The image data is written into the buffer memory (1130) from the DSP (922), column 11, lines 36-38.); and

a compression unit (JPEG hardware, 924) for compressing said image data read from said buffer memory (The image data is compressed using JPEG compression, column 11, lines 34-36, column 7, lines 30-33.), wherein said buffer memory (1130) is connected to receive only said image data from said image processing unit (922) and connected to output said image data only to said compression unit (924, see figure 11, column 11, lines 36-46); and

a storage unit (input/output buffer 1, 1110 and input/output buffer 2, 1140, figure 11) provided outside said image processing part (see figure 11).

Consider claim 2, and as applied to claim 1 above, Kuo et al. further teaches: said buffer memory (ping-pong buffers A and B, 1130) includes a first buffer memory (A) and a second buffer memory (B), said image processing apparatus further comprising:

a control unit (CPU, 344, figure 2) being operative (column 5, lines 42-54) in such a manner that while said image processing unit (922) writes said image data either to said first buffer memory (A) or to said second buffer memory (B), said compression unit (924) selectively reads image data previously stored either in said first buffer memory (A) or in said second buffer memory (B) experiencing no writing of said image data by said image processing unit (See column 11, lines 36-46. One buffer is filled with image data from the DSP (922) while the other buffer is output to the JPEG hardware (924).).

Consider claim 13, and as applied to claim 1 above, Kuo et al. further teaches: a first switching unit connected between said image processing unit and said buffer memory; and a second switching unit connected between said compression unit and said buffer memory (As the image data is alternately read into and out of the ping-pong buffers (1130), there must be a first switching unit connected between said image processing unit (922) and said buffer memory (1130), and a second switching unit

connected between said compression unit (924) and said buffer memory (1130), column 11, lines 36-46.).

Consider claim 14, and as applied to claim 13 above, Kuo et al. further teaches: said buffer memory (1130) comprises first and second buffer memories (A and B) connected in parallel (As parallel operations are performed involving buffer memories A and B, they are connected in parallel, column 11, lines 38-46.).

Consider claim 22, and as applied to claim 1 above, Kuo et al. further teaches: said image processing part comprises:  
a first processing unit (line reader, 620) for performing a first processing on said captured data and for storing first processed data in said storage unit (The line reader (620) reads said captured data and stores first processed data in the input/output buffer 1 (1120) of said storage unit, column 11, lines 31-36.); and  
a second processing unit (DSP, 922) for performing a second processing on said first processed data obtained from said storage unit (1120) and outputting said image data to said buffer memory (The DSP (922) processes data obtained from the input/output buffer 1 (1120), and outputs the processed data to said buffer memory (1130), column 11, lines 34-46.).

Consider claim 23, and as applied to claim 1 above, Kuo et al. further teaches:

said image processing part is connected to store data in and retrieve data from said storage unit (Image data is stored in and retrieved from the input/output buffers (1120 and 1140, figure 11), column 11, lines 34-51.).

Consider claim 24, and as applied to claim 1 above, Kuo et al. further teaches: said compression unit (924) compressing said image data read from said buffer memory (1130) and storing said image data in said storage unit (The compression unit (924) reads data from the buffer memory (1130) and stores the data in the input/output buffer 2 (1140) of the storage unit, figure 11, column 11, lines 36-51.).

Consider claim 15, Kuo et al. teaches:  
An image processing apparatus for performing image processing on captured data of an image of a desired subject (see digital camera, 100, figures 1, 2 and 11), comprising:

an image processing part (line reader, 620, DSP, 922, ping-pong buffers A and B, 1130, and JPEG Hardware, 924, figure 11), including:

first and second buffer memories (ping-pong buffers A and B, 1130) connected in parallel for data storage (The buffer memory (1130) stores image data processed by the DSP (922), column 11, lines 34-47. As parallel operations are performed involving buffer memories A and B, they are connected in parallel, column 11, lines 38-46.);

an image processing unit (DSP, 922) for performing a predetermined process on said captured data to obtain image data (column 11, lines 34-39), and alternatingly

writing said image data to said first and second buffer memories (Image data is alternately written into ping-pong buffers A and B from the DSP (922), column 11, lines 36-46.); and

a compression unit (JPEG hardware, 924) for compressing said image data alternately read from said first and second buffer memories (The image data is alternately read from ping-pong buffers A and B (column 11, lines 36-46), and compressed using JPEG compression, column 11, lines 34-36, column 7, lines 30-33.),

wherein said first and second buffer memories (A and B, 1130) are connected to receive only said image data from said image processing unit (922) and connected to output said image data only to said compression unit (924, see figure 11, column 11, lines 36-46).

Consider claim 16, and as applied to claim 15 above, Kuo et al. further teaches: a first switching unit connected between said image processing unit and said first and second buffer memories; and a second switching unit connected between said compression unit and said first and second buffer memories (As the image data is alternately read into and out of the ping-pong buffers (1130), there must be a first switching unit connected between said image processing unit (922) and said first and second buffer memories (1130), and a second switching unit connected between said compression unit (924) and said first and second buffer memories (1130), column 11, lines 36-46.).

Consider claim 18, and as applied to claim 15 above, Kuo et al. further teaches: a storage unit (input/output buffer 1, 1110 and input/output buffer 2, 1140, figure 11) externally connected to said image processing part (line reader, 620, DSP, 922, ping-pong buffers A and B, 1130, and JPEG Hardware, 924, see figure 11).

Consider claim 19, and as applied to claim 18 above, Kuo et al. further teaches: said compression unit (924) storing compressed image data in said storage unit (input/output buffer 2, 1140, figure 11, column 11, lines 48-51).

Consider claim 20, and as applied to claim 18 above, Kuo et al. further teaches: said image processing part being connected to store data in and retrieve data from said storage unit (The line reader (620) of said image processing part stores data in the input/output buffer 1 (1120) of said storage unit, and the DSP (922) of said image processing part retrieves data from the input/output buffer 1 (1120) of said storage unit, column 11, lines 34-36.).

Consider claim 21, and as applied to claim 18 above, Kuo et al. further teaches: said image processing part comprises: a first processing unit (line reader, 620) for performing a first processing on said captured data and for storing first processed data in said storage unit (The line reader (620) reads said captured data and stores first processed data in the input/output buffer 1 (1120) of said storage unit, column 11, lines 31-36.); and

a second processing unit (DSP, 922) for performing a second processing on said first processed data obtained from said storage unit (1120) and outputting said image data to said buffer memory (The DSP (922) processes data obtained from the input/output buffer 1 (1120), and outputs the processed data to said buffer memory (1130), column 11, lines 34-46.).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALBERT H. CUTLER whose telephone number is (571)270-1460. The examiner can normally be reached on Mon-Thu (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC

/Sinh Tran/  
Supervisory Patent Examiner, Art Unit 2622